REMARKS

The claims in the case are claims 1 - 12. The claims were amended in the preliminary examination. They have been amended further to eliminate multiple dependency and to put them in better form for U.S. filing. No new matter is included.

Favorable action is solicited.

Respectfully submitted,

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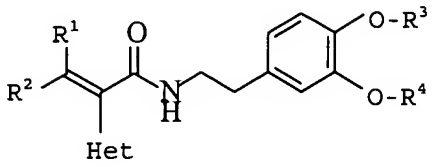
1. (original) Phenethylacrylamides of the formula I



in which the substituents R^1, R^2, R^3 and R^4 have the following meanings:

R^1 is halogen, C_1-C_4-alkyl, C_1-C_4-alkoxy, C_3-C_{10}-cycloalkyl, C_1-C_4-haloalkoxy or C_1-C_4-haloalkyl;

R^2 is hydrogen;

R^3 is C_1-C_4-alkyl, C_1-C_4-haloalkyl, propargyl, C_3-C_4-alkenyl or $-H_2C-C\equiv C-C(R^a,R^b)-R^c$, where R^a,R^b independently of one another are hydrogen or methyl and R^c is hydrogen or C_1-C_4-alkyl;

R^4 is methyl or C_1-haloalkyl; and

Het is a 5- or 6-membered heteroaromatic ring which may contain a fused 5- or 6-membered carbocycle and which is selected from among heteroaromatic rings containing 1, 2, 3 or 4 nitrogen atoms as ring members, heteroaromatic rings which contain 1 or 2 nitrogen

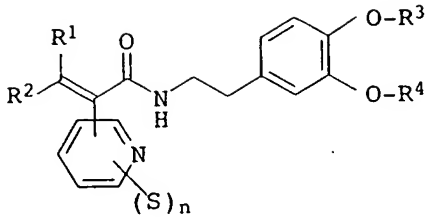
atoms and 1 or 2 further heteroatoms selected from among oxygen or sulfur as ring members, and heteroaromatic rings which have 1 or 2 heteroatoms selected from among oxygen and sulfur as ring members, Het being unsubstituted or it being possible for Het to contain 1, 2 or 3 substituents S selected from among halogen, C_1-C_4-alkyl, C_1-C_4-haloalkoxy, C_1-C_4-haloalkyl and C_1-C_4-alkoxy.

2. (original) A phenethylacrylamide of the formula I as claimed in claim 1, wherein R^1 is C_1-C_4-alkyl or C_3-C_6-cycloalkyl, in particular ethyl, isopropyl, tert-butyl or cyclopropyl.

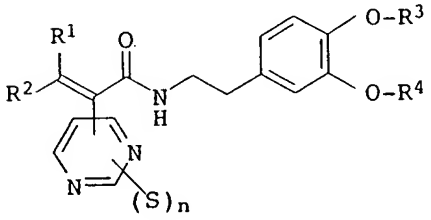
3. (currently amended) A phenethylacrylamide of the formula I as claimed in claim 1 ~~any of the preceding claims~~, wherein Het is selected from among pyridyl, pyrimidinyl, pyrazinyl, pyrrolyl, thienyl, furanyl, pyrazolyl, imidazolyl, oxazolyl, isoxazolyl, thiazolyl and isothiazolyl.

4. (currently amended) A phenethylacrylamide of the formula I as claimed in claim 1 ~~any of the preceding claims~~, wherein Het contains one or two substituents S which are bonded to those ring atoms which are not adjacent to the linkage site forming the double bond.

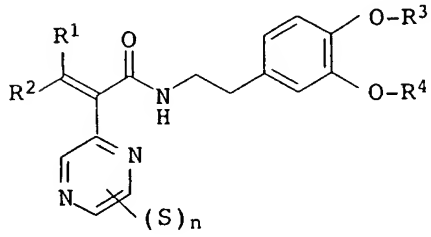
5. (original) A phenethylacrylamide of the formulae I.1, I.2 and I.3



(I.1)



(I.2)



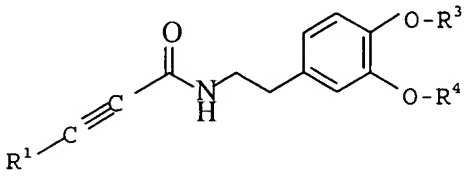
(I.3)

in which the substituents S, R^1, R^2, R^3 and R^4 have the abovementioned meanings and n is 1 or 2, and S is not bonded in the ortho position relative to the linkage site.

6. (currently amended) A process for the preparation of a phenethylacrylamide of the formula I as claimed in claim 1

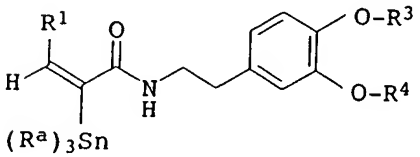
~~any of the preceding claims~~, wherein R^2 is hydrogen and R^1 is hydrogen, C_1-C_4-alkyl, C_3-C_8-cycloalkyl or C_1-C_4-haloalkyl, and Het, R^3 and R^4 have the abovementioned meanings, comprising the following steps:

a) reaction of a phenethylamide of the formula II,



(II)

in which the substituents R^1, R^3 and R^4 have the abovementioned meanings, with a trialkylstannane $(R^a)_3SnH$, wherein R^a is alkyl resulting in a compound of the formula III



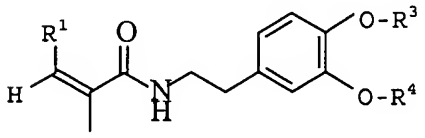
(III)

wherein the substituents R^a, R^1, R^3 and R^4 have the abovementioned meanings, and

b) reaction of the compound III obtained in step a) with a compound Het-Hal, wherein Hal is bromine or iodine and Het has the meaning given in claim 1, in the presence of catalytically active amounts of a transition metal compound of a group VIII metal;

or

a') reaction of a compound of the formula II with at least stoichiometric amounts of iodine, resulting in a compound of the formula IV



(IV)

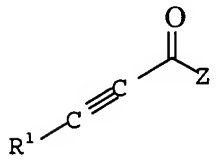
I

wherein the substituents R^1, R^3 and R^4 have the abovementioned meanings, and

b') reaction of the compound IV obtained in step a') with a stannane of the formula $(R^a)_3Sn$-Het, wherein Het has the meaning stated in claim 1, in the presence of

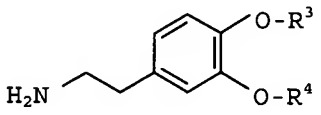
catalytically active amounts of a transition metal compound of a group VIII metal.

7. (original) A process as claimed in claim 6, additionally comprising the preparation of the phenethylamide of the formula II, wherein a propiolic acid compound of the formula V



(V)

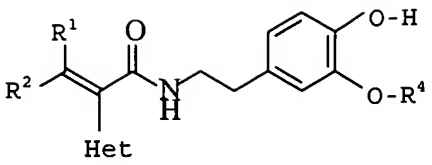
wherein R^1 has the abovementioned meaning and Z is halogen or OH, is reacted in a manner known per se with a phenethylamine of the general formula VI



(VI)

wherein R^3 and R^4 have the abovementioned meanings.

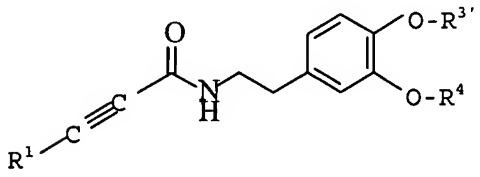
8. (original) A process for the preparation of a phenethylacrylamide as claimed in claim 1 of the formula I, wherein a phenethylacrylamide of the formula I where R^3 = H:



(I {R^3 = H})

wherein Het, R^1, R^2 and R^4 have the abovementioned meanings, is reacted with a compound of the formula R^3-Y, wherein R^3 has the abovementioned meaning and Y is a nucleophilically displaceable leaving group.

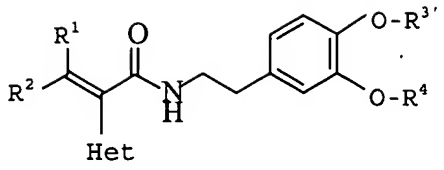
9. A phenethylamide of the formula II'



(II')

wherein the substituents R^1 and R^4 have the abovementioned meanings, $R^{3'}$ has the meanings stated for R^3 or $R^{3'}$ is hydrogen or an OH protecting group.

10. (original) A phenethylacrylamide of the formula I':



(I')

wherein Het, R^1, R^2 and R^4 have the abovementioned meanings and $R^{3'}$ is hydrogen or an OH protecting group.

11. (currently amended) A composition for controlling phytopathogenic harmful fungi comprising a solid or liquid carrier and a compound of the formula I as claimed in claim 1 ~~any of claims 1 to 5~~.

12. (currently amended) A method of controlling phytopathogenic harmful fungi, which comprises treating the fungi or the materials, plants, the soil or seed to be protected from fungal infection with an effective amount of a compound of the formula I as claimed in claim 1 ~~any of claims 1 to 5~~.